



It is now a crime to sell drug paraphernalia



New Kansas drug paraphernalia law is *now* in effect

It is now illegal for stores to offer for sale items that are intended or designed for use to consume or ingest illegal drugs.

<http://www.kslegislature.org/bills/2008/2062.pdf>

These items have been identified as drug paraphernalia:

- Glass/metal pipes
- Bongs and water pipes
- Pipes disguised as pens, incense, key chains or other items
- “Jewelry” or “Postal” scales
- This list is not all-inclusive. See KSA 65-4150

Penalties for the sale of drug paraphernalia:

A person who violates section (a)(2)

- A class A Misdemeanor punishable by a jail sentence of up to 12 months and a fine not exceeding \$2,500.
- A person who delivers paraphernalia to a person under 18 years of age- A level 9 nonperson felony with a sentencing range of 5 months to 17 months imprisonment and a possible fine of \$100,000.00 or both fine and imprisonment.
- If such person is 18 or more years of age and the items involved were possessed with intent to sell, deliver or distribute, sold or offered for sale in or on, or within 1,000 feet of any school property for grades one through twelve- A level 9 nonperson felony with a sentencing range of 5 months to 17 months imprisonment and a possible fine of \$100,000.00 or both fine and imprisonment.

A person who violates section (a)(3)

- A level 9 nonperson felony with a sentencing range of 5 months to 17 months imprisonment and a possible fine of \$100,000.00 or both fine and imprisonment.
- A person who delivers paraphernalia to a person under 18 years of age- A drug severity level 4 nonperson felony with a sentencing range of 10 months to 42 months imprisonment and a possible fine of \$100,000.00 or both fine and imprisonment.
- If such person is 18 or more years of age and the items involved were possessed with intent to sell deliver or distribute; sold or offered for sale in, on or within 1,000 feet of any school property upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities for of pupils enrolled in kindergarten or any of grades 1 through 12. A sentencing range of 10 – 42 months imprisonment and fine of \$100,000.00 or both.



For more information visit <http://www.accesskansas.org/kbi/>